

REMARKS

Claims 1-15 are pending. Applicant has carefully considered the application in view of the Examiner's action and, in light of the foregoing amendments and the following remarks, respectfully requests reconsideration and full allowance of all pending claims.

Claims 1-6, 10-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,381,451 to Parisel et al. (hereinafter "Parisel") in view of U.S. Patent No. 6,243,568 to Detlef et al. (hereinafter "Detlef") and U.S. Patent No. 6,445,916 to Rahman (hereinafter "Rahman").

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Parisel in view of Detlef and in view of Rahman as applied to Claim 6, and further in view of U.S. Patent No. 5,802,039 to Obayashi et al. (hereinafter "Obayashi").

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Parisel in view of Detlef and in view of Rahman as applied to Claim 6, and further in view of U.S. Patent No. 6,219,540 to Besharat et al. (hereinafter "Besharat").

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Parisel in view Detlef and in view of Rahman and in view of Besharat as applied to Claim 8, and further in view of Obayashi.

In response to the foregoing rejections, Applicant respectfully traverses these rejections.

Specifically, Parisel has been cited as fully disclosing Applicant's invention, except merely for the steps of providing a user-discernable indication responsive to the quality of a signal, for which Detlef was cited, and for indicating signal quality in terms of an acceptable percentage, for which Rahman was cited. Applicant respectfully submits, however, that there would be lack of motivation to combine Detlef and Rahman with Parisel. First, the primary motivation for Parisel is to reducing the power consumption of mobile telephone (col. 1, lines 4-7). Parisel achieves this functionality by sampling a signal received from another party, and activation of the mobile telephone is permitted only if the signal is of sufficient quality. Hence, if signal quality if not sufficient, then demodulated signals are eliminated, thereby reducing the energy required to decode and demodulate such signals (see, e.g., the Abstract). It may be appreciated that such discernable indication of the received signal is not only unnecessary to

achieve such functionality, but such discernable indication actually contributes nothing toward such functionality.

Second, even if, for the sake of argument, a discernable indication of the received signal quality were to be provided to a user, as allegedly taught by Detlef, such discernable indication, in percentage form as allegedly taught by Rahman, or in whatever form desired, would consume additional power, thus destroying the intended functionality of Parisel. It is thus respectfully submitted that Detlef and Rahman, taken either singularly or in combination, actually teach against the intended functionality of Parisel.

Third, even if, for the sake of argument, power reduction did not constitute a central objective of Parisel, it is not at all clear how either, much less both, Detlef and/or Rahman could be operatively connected to Parisel, because both Detlef and Rahman rely on continuous signal reception, at least during a measuring interval (Rahman), albeit of poor quality, to function properly. However, as discussed above, Parisel actually eliminates demodulated signals. Thus Detlef and Rahman may be precluded from obtaining reliable sample of signal from which to determine signal quality. Accordingly, it is respectfully submitted that it would not be obvious to combine either Detlef or Rahman with Parisel and, needless to say, there is no suggestion or teaching in any of the references to make any such combination.

In view of the foregoing, it is apparent that none of the cited references, either singularly or in any combination, teach, suggest, or render obvious the unique combination now recited in independent Claims 1, 6, and 13. It is therefore respectfully submitted that Claims 1, 6, and 13 clearly and precisely distinguish over the cited combinations of references in a patentable sense, and are therefore allowable over those references and the remaining references of record. Accordingly, it is respectfully requested that the rejection of Claims 1, 6, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Parisel in view of Detlef and Rahman be withdrawn.

Claims 2-5, 7-12, 14, and 15 depend from and further limit independent Claims 1, 6, and 13, in a patentable sense and, for this reason and the reasons set forth above, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejections of dependent Claims 2-5, 7-12, 14, and 15 be withdrawn, as well.

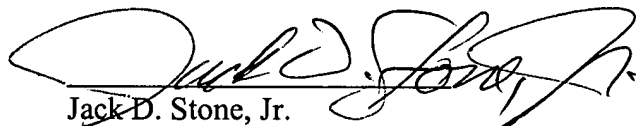
Applicant has reviewed the prior art made of record and not relied on, and has concluded that this art does not prejudice the patentability of the invention as defined by the present claims. For this reason and the reason that they have not been applied against Applicant's claims, no further discussion of them is deemed necessary.

Applicant has now made an earnest attempt to place this application in condition for allowance, or in better condition for appeal. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-15 so that the application may be passed to issue.

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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Jack D. Stone, Jr.
Reg. No. 38,324

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4207
Fax: (214) 706-4242
jack.stone@scheefandstone.com